

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHEN DISTRICT OF WEST VIRGINIA**

FRANK MORGAN

Plaintiff,

v.

**CIVIL ACTION NO.: 2:18-cv-01450
Honorable Thomas Johnston**

**LOGAN COUNTY COMMISSION, A West
Virginia county government;
LOGAN COUNTY SHERIFF SONYA M.
DINGESS-PORTER, individually and in her
official capacity;
DEPUTY BARRY MYNES, individually and in
his official capacity;
DEPUTY JOEY SHEPARD, individually and in
his official capacity
DEPUTY NICK TUCKER, individually and in
his official capacity;
CITY OF LOGAN/CITY OF LOGAN POLICE
DEPARTMENT, West Virginia municipal
government/municipal governmental agency;
CITY OF LOGAN POLICE CHIEF P.D.
CLEMENS, individually and in his official
capacity;
OFFICER J.D. TINCHER, individually and in
his official capacity;
OFFICER KEVIN CONLEY, individually and in
his official capacity;
JOHN DOE OFFICERS/DEPUTIES,
individually and in their official capacities;**

Defendants.

STIPULATION OF DISMISSAL OF DEFENDANT DEPUTY NICK TUCKER

NOW COMES Plaintiff, by and through his counsel, Kerry A. Nessel, pursuant to Federal Civil Procedure Rule 41(a)(1)(A)(ii), and stipulates to the voluntary dismissal by him of Defendant

Deputy Nick Tucker as a defendant in this matter, without prejudice, to which all counsel have consented by virtue of their signatures affixed hereto.

Submitted by:

/s/ Kerry A. Nessel
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